

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON OCTOBER 26, 2004, WITH THE FOLLOWING MEMBERS PRESENT: MARY C. WALKER, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 11:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO THE FLAG.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 173-04/PAYMENT OF BILLS...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt Resolution Number 173-04 resolving to sign all Recap Sheets covering all bills presented this date and authorizing payment of same except as noted.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: COMMON PLEAS COURT/ADULT PROBATION...MOTION TO CORRECT THE TOTAL GRANT AWARD AND ALLOCATION OF FUNDS FOR GRANT NUMBER 2003-DG-C01-7084 THROUGH THE OFFICE OF CRIMINAL JUSTICE SERVICES/BYRNE MEMORIAL GRANT PROGRAM FOR THE PROJECT ENTITLED MENTAL HEALTH INTENSIVE TREATMENT PROGRAM FOR THE COURT OF COMMON PLEAS...03-1014-001...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Bruce Gibson, Director, Common Pleas Court/Adult Probation, with the concurrence of David L. Spinney, County Administrator, to correct the total Grant Award for Grant Number 2003-DG-C01-7084 through the Office of Criminal Justice Services/Byrne Memorial Grant Program, for the project entitled Mental Health Intensive Treatment Program for the Court of Common Pleas, previously ratified on 10/14/03 and subsequently revised on 04/28/04, which represents an increase of \$1.00, from \$49,603.00 to \$49,604.00, and further to correct the allocation of funds from the category Other Costs in the amount of \$133.00 to Consultants/Contracts in the amount of \$134.00, as outlined below, pursuant to the Office of Criminal Justice Services Subgrant Adjustment Notice Number 2, dated 04/29/04, with all other terms and conditions of the original Grant and Revision in full force and effect.

Grant Allocation Funding Categories	Original Budget	Net Change for 1 <sup>st</sup> Revision	1 <sup>st</sup> Revision Approved on 04-28-04	Correction of Original Budget & Revision	Corrected Budget
Personnel	\$49,470.00	(13,092.00)	\$36,378.00		\$36,378.00
Consultants/Contracts		\$4,646.00	\$4,646.00	\$134.00	\$4,780.00
Travel		\$1,400.00	\$1,400.00		\$1,400.00
Equipment		\$2,700.00	\$2,700.00		\$2,700.00
Supplies					
Other Costs	\$133.00	\$4,346.00	\$4,479.00	(\$133.00)	\$4,346.00
Project Total	\$49,603.00	\$0	\$49,603.00	\$0	\$49,604.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: COMMON PLEAS COURT/ADULT PROBATION...EXECUTION OF A BUDGET REVISION LETTER FOR GRANT NUMBER 2003-DG-C01-7084 THROUGH THE OFFICE OF CRIMINAL JUSTICE SERVICES/BYRNE MEMORIAL GRANT PROGRAM FOR THE PROJECT ENTITLED MENTAL HEALTH INTENSIVE TREATMENT PROGRAM FOR THE COURT OF COMMON PLEAS ....03-1014-001...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Bruce Gibson, Director, Common Pleas Court/Adult Probation, with the concurrence of David L. Spinney, County Administrator, to execute a Budget Revision Letter for Grant Number 2003-DG-C01-7084 through the Office of Criminal Justice Services/Byrne Memorial Grant Program for the project entitled Mental Health Intensive Treatment Program for the Court of Common Pleas and to approve and execute the Budget Revision Letter as outlined below, in the amount of \$49,604.00, effective for the period of 01/01/04 through 12/31/04, pursuant to the terms and conditions set forth therein.

Budget Adjustment	Original Budget	1 <sup>st</sup> Revision 04-28-04 as Corrected	2 <sup>nd</sup> Revision/ Final Budget
Personnel	\$49,470.00	\$36,378.00	\$36,378.00
Consultants/Contracts	\$134.00	\$4,780.00	\$4,780.00
Travel		\$1,400.00	\$2,000.00
Equipment		\$2,700.00	\$756.00
Supplies			\$500.00
Other Costs		\$4,346.00	\$5,190.00
<b>Project Total</b>	<b>\$49,604.00</b>	<b>\$49,604.00</b>	<b>\$49,604.00</b>

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: COUNTY RECORDER...ACKNOWLEDGMENT OF RECEIPT OF PROPOSAL FOR UTILIZATION OF FUNDS FROM INCREASED FEES FOR CALENDAR YEARS 2005 THROUGH 2008 AND ESTABLISHMENT OF THE DATE AND TIME TO MEET WITH THE COUNTY RECORDER FOR THE REVIEW THEREOF PURSUANT TO SECTION 317.321 OF THE OHIO REVISED CODE...04-1026-001...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation to acknowledge the receipt of the Proposal of Carolyn Green, County Recorder, dated 10/12/04, officially received by the Board on 10/13/04, relative to her request for the set-aside of funds not to exceed four dollars of the fee collected for filing or recording a document for which a fee is charged as required by division (A) of Section 317.32 of the Revised Code or by Sections 1309.40, 1309.42, 1309.43, or 5310.15 of the Revised Code and to be placed in the County Treasury and designated "general fund moneys to supplement the equipment needs of the County Recorder" for the acquisition or maintenance of micrographics or other equipment for Calendar Year 2005 through 2008, and to establish the date, time and

location for the Board to meet with the County Recorder for the review thereof, pursuant to Section 317.321 of the Ohio Revised Code. The Board of County Commissioners to meet with the County Recorder at 3:00 P.M. on Wednesday, **10/27/04**, during regular session

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 174-04/RESOLUTION ACKNOWLEDGING RECEIPT OF PETITION SIGNED BY AT LEAST FIFTY-ONE PERCENT OF LANDOWNERS TO BE SPECIFICALLY ASSESSED IN CONNECTION WITH PROPOSED IMPROVEMENTS TO PORTIONS OF DENNY DRIVE AND DEE-DEE LANE LOCATED IN PIERCE TOWNSHIP, CLERMONT COUNTY, OHIO, AND SETTING THE VIEWING DATE THEREFORE PURSUANT TO CHAPTER 5555 OF THE OHIO REVISED CODE...04-0510-005...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt Resolution Number **174-04** acknowledging receipt of a Petition signed by at least fifty-one percent of landowners to be specifically assessed in connection with proposed improvements to portions of Denny Drive and Dee-Dee Lane located in Pierce Township, Clermont County, Ohio, and setting a viewing date therefore on **Monday, November 1, 2004 at 1:00 P.M.** pursuant to Chapter 5555 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: BOARD OF COUNTY COMMISSIONERS...REQUEST TO ESTABLISH THE STORMWATER FUND AS AN ENTERPRISE FUND...04-1021-001...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management & Budget, in conjunction with Resolution 138-04 heretofore adopted on August 17, 2004 creating a Stormwater Management Department, to establish an Enterprise Fund entitled **Stormwater Fund 670** with **Stormwater Management Department 8570**, in order to account for the activity and fees associated with a storm water program which addresses flooding problems and water quality issues caused thereby, resulting from excess storm water runoff. Establishment of such a fund will enable the County and other storm water permittees to meet Ohio EPA permit requirements and is promulgated by Ohio Revised Code Section 6117.02 and acceptable under Ohio Revised Code Section 5705.09 (G).

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY**

ACTIONS FOR FISCAL YEAR 2004...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2004 (Resolution Number 226-03) and/or interfund transactions as outlined in the following table(s) and authorize Linda Fraley, County Auditor, to properly record same:

TRANSFER OF FUNDS:

\$ 1,800.00	From General Fund 100-1018-7139 to 100-4140-5700 (L&E Grants/Transfers/Advances Contingencies to Juvenile Detention Materials & Supplies)
\$ 400.00	From Advocate Project Fund 219-2040-5300 to 219-2040-6300 (Purchased Services to Utilities)
\$ 5,000.00	From Water & Sewer Combined Fund 603-8521-5300 to 603-8521-6600 (Construction Engineering Purchased Services to Capital Outlay)
\$ 2,400.00	From Water & Sewer Combined Fund 603-8523-6300 to 603-8524-5700 (Administration Utilities to Customer Service Material & Supplies)
\$ 2,000.00	From Water & Sewer Combined Fund 603-8524-5200 to 603-8524-5121 (Customer Service Fringe Benefits to Customer Service Overtime)
\$ 1,000.00	From Water & Sewer Combined Fund 603-8524-5200 to 603-8524-5700 (Customer Service Fringe Benefits to Customer Service Materials & Supplies)

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2004:

\$ 614,690.00	General Fund - Legislative & Executive	100-1018-7000	Reimb/Transfers/Advances
\$ 40,000.00	Stormwater Fund	670-8570-5112	Regular Salaries
\$ 2,000.00	Stormwater Fund	670-8570-5121	Overtime
\$ 13,000.00	Stormwater Fund	670-8570-5200	Fringe Benefits
\$ 53,500.00	Stormwater Fund	670-8570-5300	Purchased Services
\$ 5,000.00	Stormwater Fund	670-8570-5700	Materials & Supplies
\$ 2,000.00	Stormwater Fund	670-8570-6300	Utilities
\$ 50,000.00	Stormwater Fund	670-8570-6600	Capital Outlay

CASH TRANSFER OF FUNDS:

\$ 141,300.00	From Children Services Levy Fund 213-6243-7220 to Children Services Fund 208-0208-4821
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ADVANCE OF FUNDS:

\$ 614,690.00	From General Fund 100-1018-7312 to Storm Water Fund 670-0670-4961
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REIMBURSEMENT OF FUNDS:

\$ 60,216.64	From Children Services Fund 208-6242-7220 to Public Assistance Fund 204-0204-4821
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Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF  
EXPENSES RELATIVE TO SAME...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2004 and any and all amendments subsequent thereto:

**DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT**

**Mary J. Werner:** One (1) day – Columbus, Ohio – Ohio Conference of Community Development Fall Meeting entitled “Fair Housing, Credit Counseling, Credit Scores, and Predatory Lending - Total expenses not to exceed \$190.00.

**PROSECUTING ATTORNEY**

**Mark J. Tekulve:** One (1) day – Cincinnati, Ohio – Cincinnati Bar Association Seminar entitled “Presentation Skills for Lawyers: How to Create & Deliver Persuasive Presentations” - Total expenses not to exceed \$170.00.

**Mark J. Tekulve:** One (1) day – Cincinnati, Ohio – Cincinnati Bar Association Seminar entitled “Time Management for Lawyers” - Total expenses not to exceed \$170.00.

**David J. Frey:** One (1) day – Cincinnati, Ohio – National Business Institute Seminar entitled “Road and Access Law in Ohio: Creation, Financing and Resolving Access Disputes” – Total expenses not to exceed \$269.00.

**James Mather:** One (1) day – Cincinnati, Ohio – Cincinnati Bar Association Seminar entitled “Law & Film” - Total expenses not to exceed \$170.00.

**OFFICE OF TECHNOLOGY, COMMUNICATIONS & SECURITY**

**Beth Nevel:** Four (4) days - Columbus, Ohio – County Commissioners Association of Ohio Annual Winter Conference – Total expenses not to exceed \$824.00.

**COUNTY ENGINEER**

**Patrick J. Manger, Craig Stephenson and Joseph W. Uecker:** Five (5) days – Columbus, Ohio – County Commissioners Association of Ohio Annual Winter Conference – Total expenses not to exceed \$2,619.00.

**COUNTY SHERIFF**

**Jeff Gobbi and Doug Scott:** One (1) day – Marion County, Ohio – Attendance at a Deputy Sheriffs Funeral who was killed in the line of duty – Total expenses not to exceed \$0.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: PERSONNEL ACTION FORMS...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Department of Human Resources, with the concurrence of David L.

Spinney, County Administrator, to approve the following personnel actions:

**DEPARTMENT OF JOB AND FAMILY SERVICES**

**Beth Hall:** PA #13473 – Investigator 2 – Change/End of Probation – Effective 10/12/2004.

**FACILITIES MANAGEMENT**

**Charles E. Engle:** PA #13475 – Facilities Management Specialist 2 – Appointment/Full Time Permanent – Effective 11/22/2004.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**LET THE RECORD SHOW:** A MOTION BY MR. PROUD, SECONDED BY MR. CROSWELL, TO GO INTO EXECUTIVE SESSION AT 11:47 A.M. PURSUANT TO SECTION 121.22(G)(1) OF THE OHIO REVISED CODE REGARDING PERSONNEL MATTERS CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

**LET THE RECORD SHOW:** THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 12:50 P.M. WITH NO ACTION TAKEN.

**LET THE RECORD SHOW:** That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Regular Session of **10/26/04** carried with all members present voting.

**IN RE: ADJOURNMENT...**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**BOARD OF COUNTY COMMISSIONERS  
CLERMONT COUNTY, OHIO**

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**MARY C. WALKER, PRESIDENT**

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**ROBERT L. PROUD, VICE PRESIDENT**

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**R. SCOTT CROSWELL III, MEMBER**

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**JUDITH KOCICA, CLERK OF THE BOARD**

**10/26/04**  
**DATE APPROVED**